



Atty. Dkt. No. 040679-1364

1-12-04

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Tomohiko ISHIKURA

Title: INVENTORY CONTROL SYSTEM AND METHOD

Appl. No.: 09/955,086

Filing Date: 09/19/2001

Examiner: Unassigned

Art Unit: 2163

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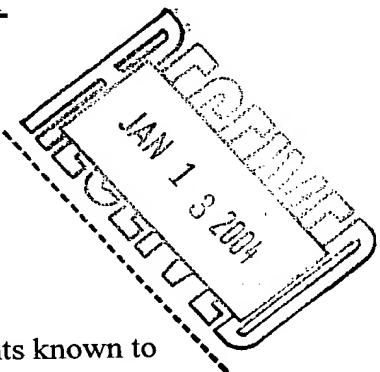
**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.





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### TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

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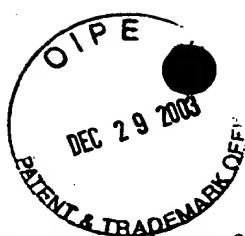
### RELEVANCE OF EACH DOCUMENT

In a counterpart Korean application, a Korean Office Action issued on November 27, 2003. According to an English translation obtained by Applicants' representative of the Korean Office Action, the Korean Patent Office made certain characterizations of the references.

Document A1 discloses an image processing apparatus and object transfer apparatus that can capture the three dimensional location of an object in short time, comprising a distance image forming method to form the distance image of multiple stacked objects, a highest cross sectional region extracting method to extract the highest cross sectional region of the stacked objects and an object size database storing method to store the target object's size database.

Document A2 discloses a stacked object height measuring system to measure the direction of the target, the surface shape, volume and the height of the stacked object by using a sensor which runs on a rail secured in a warehouse and scans the laser beam in a single dimension.

As noted, the characterizations of the Korean Patent Office noted above are based on an English translation obtained by Applicant's representative. The disclosure of these characterizations should not be construed as an admission of or agreement to the opinions expressed in the Korean Office Action.



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English translations of the foreign-language document are not readily available.

However, the absence of such translations does not relieve the PTO from its duty to consider the submitted foreign language documents (37 CFR §1.98 and MPEP §609). An English language abstract is provided for document A2.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By 90 34371

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Date December 29, 2003

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